



City of Dublin

**Office of the City Manager**

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# Memo

**To:** Members of Dublin City Council

**From:** Marsha I. Grigsby, City Manager */mkg*

**Date:** June 27, 2014

**Initiated By:** Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
Kenneth B. Richardson, PE, Engineering Manager - Design  
Philip K. Hartmann, Assistant Law Director

**Re:** ORDINANCE 66-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.026 ACRE, MORE OR LESS, PERMANENT EASEMENT FROM WILLIAM R. STAPLETON AND DEBORAH L. STAPLETON, AT THE PROPERTY LOCATED AT 7847 NASSAU LOOP, FOR THE CONSTRUCTION OF A PEDESTRIAN BRIDGE AS PART OF THE MUIRFIELD DRIVE /NORTH FORK INDIAN RUN PEDESTRIAN BRIDGES PROJECT, AND DECLARING AN EMERGENCY.

## Background

The City of Dublin (the "City") is constructing bike lanes, a shared-use path, and pedestrian bridges along Muirfield Drive as part of the Muirfield Drive Bike Lanes Project (the "Project").

William R. Stapleton and Deborah L. Stapleton (the "Grantors") own property from which the City desires a permanent easement for the construction of the pedestrian bridge. This property is located at 7847 Nassau Loop and is identified as Franklin County Parcel No. 273-005231.

After engaging in amicable discussions, the City has come to an agreement with the Grantors to acquire the property pursuant to the terms outlined in this memorandum. This Ordinance authorizes the settlement of the matter for the appraised value of Four Thousand Dollars (\$4,000.00).

## Acquisition

The City will be acquiring from the Grantors only the property interest necessary for purposes of the Project, as depicted in the legal description and depiction attached to this memorandum. The property interest is detailed below.

Franklin County Parcel No. 273-005231

<b>Property Interest Acquiring</b>	<b>Description</b>	<b>Appraised Value</b>
Permanent Easement	0.026 acre ±	\$4,000.00
<b>Total</b>		<b>\$4,000.00</b>

**Recommendation**

Ordinance No. 66-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

The Law Department recommends that Council dispense with the public hearing and approve Ordinance 66-14 by emergency at the July 1, 2014 Council meeting in order to finalize settlement with William R. Stapleton and Deborah L. Stapleton and continue moving forward with the Project.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. **66-14**

Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.026 ACRE, MORE OR LESS, PERMANENT EASEMENT FROM WILLIAM R. STAPLETON AND DEBORAH L. STAPLETON, AT THE PROPERTY LOCATED AT 7847 NASSAU LOOP, FOR THE CONSTRUCTION OF A PEDESTRIAN BRIDGE AS PART OF THE MUIRFIELD DRIVE/NORTH FORK INDIAN RUN PEDESTRIAN BRIDGES PROJECT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Dublin (the "City") is constructing bike lanes, a shared-use path, and pedestrian bridges along Muirfield Drive as part of the Muirfield Drive Bike Lanes Project (the "Project"); and

**WHEREAS**, said Project requires that the City obtain a permanent easement from William R. Stapleton and Deborah L. Stapleton (the "Grantors") at 7847 Nassau Loop, identified as Franklin County Parcel No. 273-005231, said property interest more fully described in Exhibit "A" and depicted in Exhibit "B," all attached hereto; and

**WHEREAS**, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the appraised value of Four Thousand Dollars (\$4,000.00); and

**WHEREAS**, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantors.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, State of Ohio, \_\_\_\_\_ of the elected members concurring that:

**Section 1.** The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire a 0.026 acre, more or less, permanent easement from William R. Stapleton and Deborah L. Stapleton for the appraised value of Four Thousand Dollars (\$4,000.00), said property interest located within Franklin County Parcel No. 273-005231, and as more fully described in the attached Exhibit "A" and depicted in attached Exhibit "B."

**Section 2.** This Ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that obtaining the property interest is necessary for the advancement of this Project. The ordinance shall therefore take effect immediately upon passage.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

**Parcel #273-005231**  
**Permanent Easement**  
**for Shared-Use Path, Utilities, Storm Drainage, and Grading**  
**0.026 acres**

Situated in the State of Ohio, County of Franklin, City of Dublin, being in Virginia Military Survey Number 2544 and being Lot 1872 of the Muirfield Greene Subdivision as delineated in Plat Book 71, Page 13 and conveyed to William R. Stapleton and Deborah L. Stapleton in Instrument Number 201311270197229, all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at 3/4" diameter iron pipe with a cap that reads "BDM" at the intersection of the east Right of Way of Muirfield Drive (variable Right of Way width - Plat Book 51, Page 17) and the northerly property line of said Lot 1872, said point being the **Point of Beginning**;

Thence, South 54°45'02" East, a distance of 5.00 feet, along the northerly property line of said Lot 1872 to a point;

Thence crossing said Lot 1872 the following two courses:

1. South 05°24'14" West, a distance of 46.39 feet to a point;
2. South 31°30'24" West, a distance of 41.46 feet to southerly property line of said Lot 1872;

Thence, North 31°34'29" West, a distance of 11.22 feet, along the southerly property line of said Lot 1872 to a 3/4" diameter iron pipe on the east Right of Way of said Muirfield Drive;

Thence, along the east Right of Way of said Muirfield Drive the following three courses:

1. North 31°30'24" East, a distance of 31.72 feet to a 3/4" diameter iron pipe with a cap that reads "BDM";
2. North 56°33'14" West, a distance of 17.48 feet to a point;
3. North 34°04'57" East, a distance of 46.10 feet to the **Point of Beginning**, containing 0.026 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

The described 0.026 acre tract is a part of Auditor's Tax Parcel Number 273-005231 and is based on Instrument Number 201311270197229, Official Record 9039, Page F04, Plat Book 71, Page 13 and Plat Book 51, Page 17.

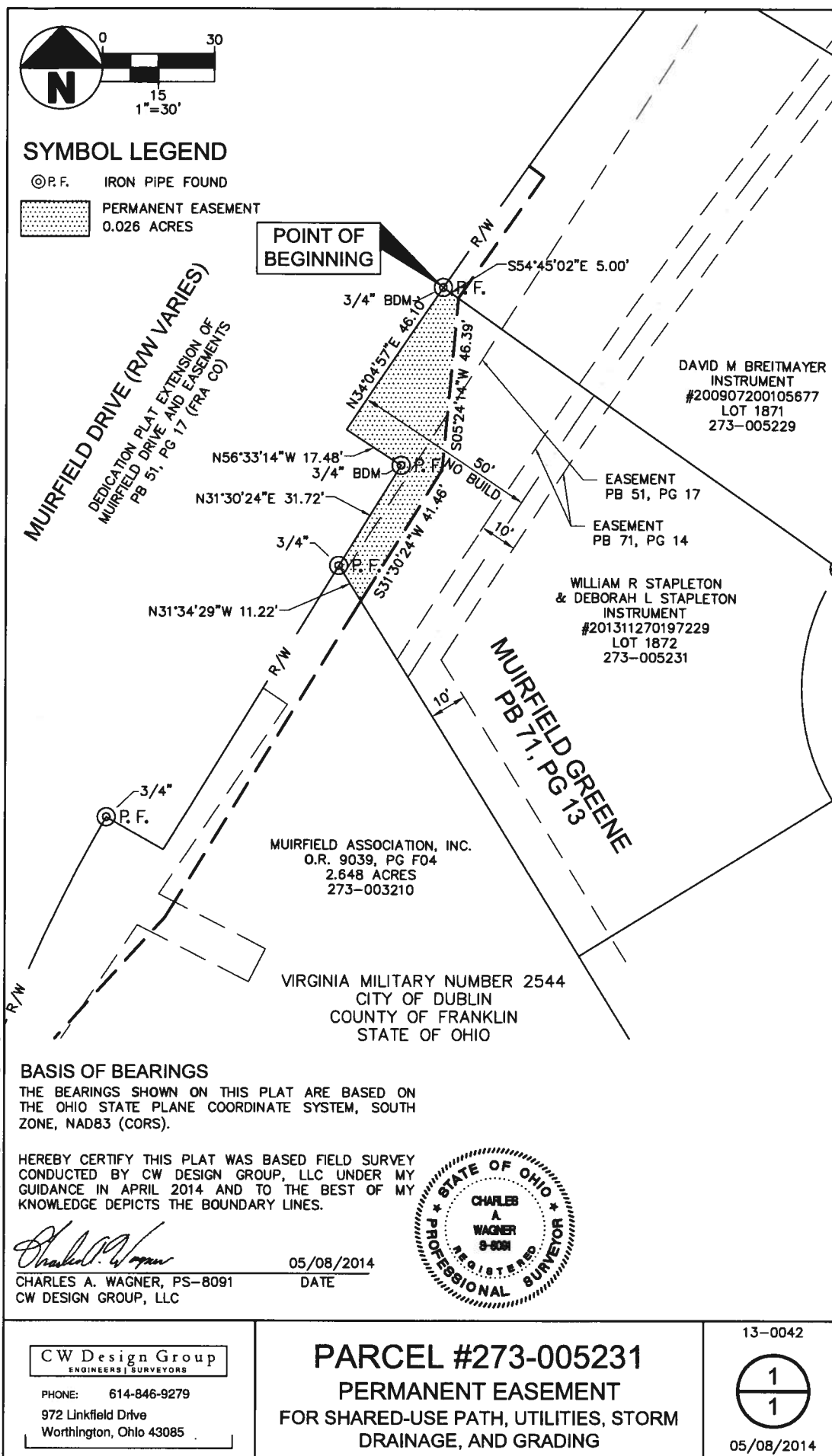
I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in April 2014 and to the best of my knowledge depicts the boundary lines.

CW Design Group, LLC

  
Charles A. Wagner - Professional Surveyor 8091

05.08.2014  
Date





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